

DEC 04 2006

002

Docket No.: LOCHT.116A

Page 1 of 2

Please Direct All Correspondence to Customer Number 20995**AMENDMENT / RESPONSE TRANSMITTAL**

Applicant : Thomas J. Lochtefeld  
 App. No : 10/056,893  
 Filed : January 24, 2002  
 For : SURF TOY ACTION FIGURE AND  
       SIMULATED SURFING GAME  
 Examiner : R. W. Chiu  
 Art Unit : 3711

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December 4, 2006

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 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Amendment in 7 pages.
- (X) Petition Under 37 C.F.R. § 1.137(b) For Revival of a Patent Application  
       Abandoned Unintentionally in 2 pages.

The fee has been calculated as shown below:

The present application qualifies for Small Entity Status under 37 CFR 1.27.

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Excess Independent	3 - 3 =	2201 (\$100)	x 100 =	\$0
Petition Fee		2453 (750)		\$750
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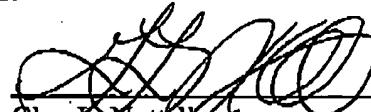
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Docket No.: LOCHT.116A  
App. No.: 10/056,893

December 4, 2006  
Page 2 of 2

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UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP ART UNIT:

3711

SERIAL NO.: 10/056,893

FILING DATE:

January 24, 2002 CLIENT CODE: LOCHT.116A

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MESSAGE:

Enclosed for filing in the above-identified patent application is an Amendment and Petition under 37 C.F.R. § 1.137(b) for revival of a Patent Application.

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Applicant	:	Thomas J. Lochtefeld
Appl. No.	:	10/056,893
Filed	:	January 24, 2002
For	:	SURF TOY ACTION FIGURE AND SIMULATED SURFING GAME
Examiner	:	R. W. Chiu
Group Art Unit	:	3711

## AMENDMENT AFTER FINAL REJECTION PURSUANT TO 37 C.F.R. § 1.116

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

This Amendment is being filed with a petition under 37 C.F.R. § 1.137(b) to revive the above-identified application, which was unintentionally abandoned. Applicant had filed an Amendment on June 3, 2004 in response to the final Office Action mailed December 29, 2003. Unfortunately, it has been determined that the June 3, 2004 Amendment did not place the case in condition for allowance, and thus the case has become abandoned.

The present Amendment is intended to replace the Amendment filed on June 3, 2004. This Amendment is substantively identical to the June 3, 2004 Amendment, which apparently was not entered, except that it cancels Claim 19. As discussed below, Applicant contends that the present application is now in condition for allowance.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.